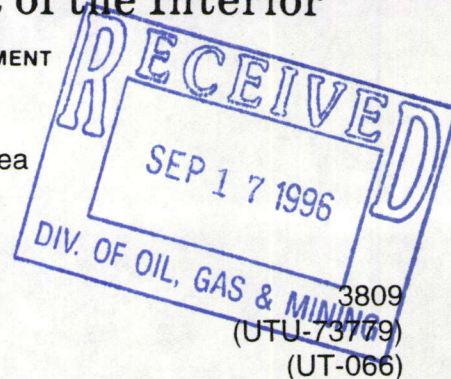




United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Moab District
Price River/San Rafael Resource Area
125 South 600 West
P.O. Box 7004
Price, Utah 84501



Fred Mortensen
Western Clay Company
P.O. Box 127
Aurora, Utah 84620

SEP 10 1996

Dear Mr. Mortensen:

We have received and reviewed your plan amendment for the gypsum mine on the Hebe mining claim group in Emery County, Utah. We have found the plan of operations to be incomplete. The following items need to be addressed and/or clarified:

1. The threatened and endangered plan inventory indicates that 33 Wrights fishhook cacti are found in the proposed mine area. To analyze the project in its present form, we would have to initiate a Section 7 consultation with the United States Fish and Wildlife Service. We estimate that it would take a minimum of six (6) months to complete the consultation. It is probably unlikely that taking of all of the cacti would be allowed. You have several options. The first is to go ahead with the current plan with the understanding that it will take more than half a year to process the plan and there is no guarantee as to how much of the area will be approved. The second option is to delete all areas containing the cacti from the plan. This would take up to 90 days from the date a complete a plan of operations is determined to be on file at this office. The third option is a variation of the second. The cacti areas are deleted, but you can work with Wayne Ludington concerning which, if any, cacti can be taken, including any Section 7 consultation. If any takings are approved, you can file a plan amendment for the additional acreage.
2. Any changes made due to the Wrights fishhook cactus, will, of course, cause changes in the acreage of pits, boundaries of the pit, and location of topsoil stockpiles. All changes should be noted and documented.
3. A mining/reclamation schedule is needed for each area being mined. You can divide each area into blocks and then include the sequence of mining and reclamation. It would be easier to conceptualize this if it was shown on a map. For instance, Block 1 of Area D (2.5 acres) would be mined in 1997, Block 2 (3.1 acres) in 1998, and so on. An example of the reclamation schedule would be: Block 1 would be reclaimed in 1998, Block 2 in 1999, and so on. Any longer lasting features, such as roads not being reclaimed, should be included with their acreage.

4. Is Area E now a mine area instead of a road? Or is this going to serve double duty as both a mine and access to Area F? Either way, the mining/reclamation sequence for that area will have to be addressed. Has the entire 3.5 acres of Area E been inventoried for cultural sites and threatened and endangered plants?

5. If no mining/reclamation schedule for Area F is included, it will have to be not included in the EA or we will have to assume a similar schedule to that of Area D. Also, the number of acres disturbed by drilling will have to be included so that disturbance can also be addressed in the EA. A time frame for the drilling is also needed.

6. Any roads that need to be left in place for the duration of the plan should be identified as to place and acreage. For instance, a road across Area D would have to be left in to access Area F.

Sincerely,

PENELOPE J. DUNN

Area Manager

Acting

cc: Bryant Anderson

Emery County Planning and Zoning

P.O. Box 297

Castle Dale, Utah 84513

Kiran Bhayani

Utah Department of Environmental Health

Division of Water Quality

P.O. Box 144870

Salt Lake City, Utah 84114-4870

Tony Gallegos

Division of Oil, Gas and Mining

1594 West North Temple, Suite 210

P.O. Box 145801

Salt Lake City, Utah 84114-5801